

# Voting in Arkansas—Rights and Responsibilities

## **VOTING**

**Polls are open from 7:30 am to 7:30 pm on Election Day in Arkansas**

### **Voter Identification**

Before a person is permitted to vote, *the election official shall*:

- Request the voter to identify himself in order to verify the existence of his name on the precinct voter registration list.
- Request the voter, in the presence of the election official, to state his address and state or confirm his date of birth.
- Determine that the voter's date of birth and address are the same as those on the precinct voter registration list.
- Request the voter, in the presence of the election official, to sign his name in the space provided on the precinct voter registration list. If a person cannot sign, the election official shall enter his initials and the voter's date of birth in the space.
- Request the voter for purposes of identification to provide a valid driver's license, photo identification card issued by a governmental agency, voter card, social security card, birth certificate, U.S. Passport, employee identification card issued in the normal course of business of the employer, student identification card, Arkansas hunting license, or U.S. military identification card.
- If the voter is unable to provide this identification, the election official shall indicate this on the precinct voter registration list.

If a voter's name is not on the precinct voter registration list, the election official shall permit the voter to vote only under the following conditions:

- The voter identifies himself by stating his name and date of birth and is verified by the county clerk as a registered voter within the county.
- The voter affirms his current residence and the election official verifies with the county clerk that the voter's residence is within the precinct.
- The voter completes an updated voter registration application form.
- The voter signs the precinct voter registration list.

If the voter is *not* listed on the precinct voter registration list and the election official is *unable to verify* the voter's registration with the county clerk and the voter contends that he is eligible to vote, then the voter may vote a *challenged ballot* which shall only be counted upon verification of the voter's registration status by the county board of election commissioners prior to certification of the election.

### **Voting Procedure**

- Voting booths shall be situated so voters can prepare their ballots in privacy and shall be furnished with any supplies to enable the voter to prepare his ballot.

- The voting booths shall be situated in plain view of the election officials.
- No person other than the election officials and those admitted for the purpose of voting shall be permitted within the voting area, within six feet of the voting booths, except by authority of the election officials and then only when necessary.
- Upon receiving his ballot, the voter shall proceed to mark it.
- No voter shall be allowed more than five minutes to mark his ballot.
- The voter shall then separate his ballot (in paper ballot counties) and personally deposit the larger portion in the ballot box and the ballot stub in the stub box.
- An election official may inspect the back of the ballot before the voter deposits it to see if an election official has initialed it.
- After having voted or having declined to do so, the voter shall leave the site.
- When the polls close, all persons who are in line shall be permitted to vote.
- Any voter who shall by accident or mistake mar or spoil any ballot may return it to the election officials and receive another not to exceed three in all.

#### **Assistance to disabled voters**

- Any voter because of physical, sensory, or other disability who presents himself for voting and who then informs an election official at the polling site that he is unable to stand in line for extended periods of time shall be assisted by an election official to advance to the head of any line of voters.
- If a voter informs the election officials that he is unable to mark his ballot, he may be assisted by two election officials or by any person selected by the voter, who shall mark the ballot so as to vote in accordance with the voter's wishes.
- When any qualified elector notifies an election official at the voting precinct that he or she is unable to read the ballot, the election official shall cause the entire ballot to be read to the voter, unless the voter instructs otherwise. The election official shall then assist the voter without comment or interpretation in marking the ballot. If the voter designates a person to assist, the election official shall allow that person to assist the voter, and the person designated shall read the entire ballot to the voter, unless the voter instructs otherwise, and then assist the voter without comment or interpretation in marking the ballot.

#### **Challenged Ballots**

During the progress of any election in this state, any candidate in person or by representative designated in writing shall have the right to be present within the polling site or room so as to observe and ascertain the identity of those persons presenting themselves to vote for the purpose of challenging any voter who appears for the purpose of casting a ballot.

Also if the voter is *not* listed on the precinct voter registration list and the election official is *unable to verify* the voter's registration with the county clerk and the voter contends that he is eligible to vote, then the voter may vote a challenged ballot.

When the ballot of any voter is thus challenged, it shall be the duty of the election officials in the election precinct to make and retain a list of the names of all persons so challenged and the procedure shall be as follows:

- *The voter* shall separate his marked ballot and ballot stub.
- *The voter* shall place the challenged ballot in a single challenged ballot envelope and seal the envelope.
- *The voter* shall place the ballot stub and the sealed challenged ballot envelope and the challenge form in a challenged voter envelope.
- The ballots of all challenged persons shall be preserved, secured, and separated from the remaining ballots to the end that the right of any person to vote may be determined later by the county board of election commissioners.
- The county board shall, prior to certification of the results of the election, determine whether the challenged ballots are valid.

For additional information contact your local county clerk, local county board of election commissioners, or the Arkansas Secretary of State Elections Division at 1-800-482-1127.